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11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**
13 **FRESNO DIVISION**

13 ARESTINA MORINA ACOSTA,) CIVIL NO. 1:23-cv-01675-SKO
14 Plaintiff,)
15 v.) **STIPULATION AND UNOPPOSED**
16 COMMISSIONER OF SOCIAL SECURITY,) **MOTION TO VOLUNTARY REMAND**
Defendant.) **PURSUANT TO SENTENCE FOUR OF**
17) **42 U.S.C. § 405(g); ORDER**
18)
19)

20 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
21 attorneys, and with the approval of the Court, that the Commissioner of Social Security has
22 agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The
23 purpose of the remand is to offer Plaintiff a new decision.

24 On remand, the Appeals Council will vacate the prior decision and direct the ALJ to:

- 25 • offer the Plaintiff the opportunity for a hearing;
26 • proceed through the sequential evaluation process;
27 • further evaluate the findings of Sarah Anne Edwards, Ph.D., with the assistance
28 of medical expert evidence;

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- further evaluate Plaintiff's residual functional capacity;
- obtain vocational expert evidence as warranted; and
- issue a new decision.

The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Dated: May 29, 2024

Law Offices of Patricia L. McCabe

By: /s/ Patricia L. McCabe
PATRICIA L. MCCABE
Attorney for Plaintiff
(per email authorization)

PHILLIP A. TALBERT
United States Attorney

MATHEW W. PILE
Office of Program Litigation, Office 7

By: /s/ Julie A.K. Cummings
JULIE A.K. CUMMINGS
Special Assistant United States Attorney

Attorneys for Defendant

ORDER

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand") (Doc. 20), and for cause shown, **IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings pursuant to the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g). The Clerk of Court shall enter a

1 final judgment in favor of Plaintiff, and against Defendant, vacating and reversing the final
2 decision of the Commissioner and shall thereafter close this case.

3 IT IS SO ORDERED.

4
5 Dated: May 29, 2024

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE